

1  
2  
3  
4  
5  
6  
7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
10

11 MICHAEL F. SCHULZE,

CASE NO. CV-F-05-0180 AWI LJO

12 Plaintiff,

**ORDER TO SERVE SUMMONS AND  
COMPLAINT**

13 vs.

14 FEDERAL BUREAU OF  
INVESTIGATION, et al.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff Michael F. Schulze (“plaintiff”) proceeds pro se, is a federal prisoner, and on February  
18 9, 2005, filed his complaint to allege that the Federal Bureau of Investigation, Drug Enforcement  
19 Administration and Department of Justice (collectively “defendants”) violated the Freedom of  
20 Information Act and the Privacy Act, 5 U.S.C. §§ 552 and 552a. On June 28, 2005, plaintiff filed his  
21 response to this Court’s order to show cause and to indicate that this Court’s clerk had not provided him  
22 summonses to initiate plaintiff’s service of summons and complaint on defendants.

23 Since plaintiff has paid the full filing fee to initiate this action and does not proceed in forma  
24 pauperis, plaintiff bears responsibility to serve the summons and complaint on defendants. To that end,  
25 this Court’s clerk will be directed to issue summonses to plaintiff to accomplish service of the summons  
26 and complaint. *See* F.R.Civ.P. 4. This Court grants plaintiff up to October 3, 2005 to serve defendants  
27 with the summons and complaint in compliance with F.R.Civ.P. 4(i), which sets forth the requirements  
28 to serve federal agencies with a summons and complaint. This Court advises plaintiff that the service

1 address for the U.S. Attorney for the Eastern District of California is U.S. Attorney's Office, Civil  
2 Process Clerk, 1130 "O" Street, Room 3654, Fresno, CA 93721 and the service address of the U.S.  
3 Attorney General is U.S. Department of Justice, Washington, D.C. 20530. This Court is not in a  
4 position to provide plaintiff the service addresses of the defendant agencies.

5 On the basis of good cause, this Court"

- 6 1. DIRECTS this Court's clerk to issue and send plaintiff summonses for each of the three  
7 defendants;
- 8 2. ORDERS plaintiff, no later than October 3, 2005 to complete service of the summons  
9 and complaint on defendants in compliance with F.R.Civ.P. 4(i); and
- 10 3. ADMONISHES plaintiff that his Court will recommend to dismiss this action if plaintiff  
11 fails to comply with this order and to timely serve the summons and complaint on  
12 defendants in compliance with F.R.Civ.P. 4(i). *See* F.R.Civ.P. 4(m).

13 IT IS SO ORDERED.

14 **Dated: July 1, 2005**  
66h44d

/s/ Lawrence J. O'Neill  
UNITED STATES MAGISTRATE JUDGE